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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,528	10/16/2003	A. Anthony East	A10019.0025.7	5223
26158	7590	07/12/2006	EXAMINER	
WOMBLE CARLYLE SANDRIDGE & RICE, PLLC ATTN: PATENT DOCKETING 32ND FLOOR P.O. BOX 7037 ATLANTA, GA 30357-0037				GALL, LLOYD A
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/687,528	EAST ET AL.	
	Examiner Lloyd A. Gall	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 June 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15, 17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-15, 17 and 19-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 05 December 2005 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Applicants should note that with respect to the following prior art rejections, it is noted that a garage door is not regarded as being positively claimed, nor are elongated lock bars or snap cables. Further, the prior art relied upon is capable of use with a garage door, elongated lock bars, and cables.

Claims 2 and 7-9 are objected to because of the following informalities: In claim 2, line 1, there is no antecedent basis for "the at least one end". Claim 7 is objected to, since its limitations are now already present in claim 1. In claim 8, line 2, "and two opposed ends" is unclear, since first and second ends are already claimed in claim 1. See also claim 9, line 4 where the two opposed ends are also referred to. Appropriate correction is required.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-15, 17 and 19-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims are rejected as the written disclosure does not set forth how the inside locking member and outside locking member are operable to permit and

selectively prevent rotation of the spindle by manipulation of the outside end of the spindle, as set forth in the independent claims. On page 6, lines 9 and 16, the specification discloses a conventional keyed lock cylinder and a conventional push-button. It is not clear as to whether the lock cylinder and push-button themselves only is disclosed as conventional, or their operation with a spindle as claimed in the last three lines of claim 1, for example.

In view of the above claim rejections, the claims are rejected as best understood, on prior art, as follows.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 10-15, 17 and 19-24 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Tierney (820) in view of Kajuch (612) and applicant's admitted prior art.

Tierney teaches a locking system including a spindle 19, keyed lock cylinder and inside handle 2 as seen in fig. 2, and an actuator yoke having a central hub portion 6 on the inside end of the spindle and having radially outwardly extending ends 7 as seen in fig. 2 which are capable of being connected to locking bars 24 or to snap cables. Tierney also teaches an inside escutcheon 3 and an outside escutcheon surrounding the rotatable key 16 plug. As seen in fig. 3 and disclosed in column 2, lines 60-65 and

column 3, lines 58-65, Kajuch teaches that it is well known to provide an inside locking member 38 with an inside handle 36, which is opposite to the key cylinder 24 along the spindle 27. On page 6, lines 9 and 16, applicant teaches that a push-button and keyed cylinder is well known with a spindle locking system. It would have been obvious to modify the Tierney inside handle 2 to include an inside locking member push-button to cooperate with the keyed cylinder and selectively permit and prevent rotation of the spindle 19 by manipulation of the outside end of the spindle, in view of the teachings of Kajuch and applicant's admitted prior art, the motivation being to optimize the security of the locking system against unauthorized access. With respect to claim 5, it would have been obvious to utilize an outside handle with the keyed cylinder of Tierney, in view of an additional teaching 20 of Kajuch, the motivation being to allow outside actuation without a key, if desired. With respect to claim 13, the inside escutcheon 3 of Tierney includes a raised central portion directly below numeral 14 in fig. 2, and a recessed (top and bottom as seen in fig. 2) outer portion which also provides clearance for the yoke ends 7.

Claims 8 and 9 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Tierney in view of Kajuch and applicant's admitted prior art as applied to claim 1 above, and further in view of Hauber. Hauber teaches an actuator yoke 12, 52 having ends 52 capable of being connected to a lock bar 50 or capable of use with a latch cable, an inside handle 46 on the inside end of the spindle 14, the yoke including a hub portion 12 which is between the handle 46 and the ends 52, wherein the ends 52 are nearer the outside end of the spindle than

the hub, and an outside escutcheon 16a. It would have been obvious to modify the inside handle and yoke of Tierney to include opposed ends which are offset from the hub, wherein the opposed ends are nearer the outside of the spindle than the hub, in view of the teaching of Hauber, the motivation being to provide a lockable, compact inside handle assembly.

Applicant's arguments with respect to claims 1-15, 17 and 19-24 have been considered but are moot in view of the new ground(s) of rejection.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 703-308-0828. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LG LG
July 10, 2006


Lloyd A. Gall
Primary Examiner